



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Neil H. Bander  
Serial No. : 09/929,665  
Filed : August 13, 2001  
Title : TREATMENT AND DIAGNOSIS OF PROSTATE CANCER

Art Unit : 1643  
Examiner : Stephen L. Rawlings  
Conf. No. : 9976

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

TERMINAL DISCLAIMER UNDER 37 C.F.R. §§ 3.73(b) AND 1.321(b)

Pursuant to 37 C.F.R. § 3.73(b), CORNELL RESEARCH FOUNDATION, INC., a university, certifies that it is the assignee of the entire right, title, and interest in the above-referenced application by virtue of:

☒ An assignment from the inventors of the above-referenced patent application. The assignment was recorded in the Patent and Trademark Office at Reel 8712, Frame 0831 on September 16, 1997.

The undersigned has reviewed all the documents in the chain of title of the above-identified application, and to the best of undersigned's knowledge and belief, title is in the assignee identified above.

The undersigned (whose title is supplied below) is empowered to act on behalf of the assignee.

Pursuant to 37 C.F.R. § 1.321(b), and to obviate a double patenting rejection, the assignee identified above hereby waives and disclaims the terminal portion of the term of the entire patent to be granted upon the above-referenced application subsequent to the expiration date of a patent that may be granted on U.S. App. No. 10/379,838, whereby the patent granted on this application and a patent that may be granted on U.S. App. No. 10/379,838 will expire on the same day,

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CERTIFICATE OF MAILING BY FIRST CLASS MAIL

I hereby certify under 37 CFR §1.8(a) that this correspondence is being deposited with the United States Postal Service as first class mail with sufficient postage on the date indicated below and is addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Date of Deposit 2/2/07

Signature Terris L. Knox

Typed or Printed Name of Person Signing Certificate  
Terris L. Knox

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(US)

provided that any patent granted on the above-referenced application shall be enforceable only for and during such period that it is commonly owned with a patent that may be granted on U.S. App. No. 10/379,838.

The assignee identified above does not disclaim any terminal part of any patent granted on the above-referenced application prior to the expiration date of the full statutory term of a patent that may be granted on U.S. App. No. 10/379,838 in the event that it later: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid, is statutorily disclaimed in whole or terminally disclaimed under 37 C.F.R. § 1.321(a), has all claims cancelled by a reexamination certificate, or is otherwise terminated prior to expiration of its statutory term, except for the separation of legal title as stated above. Assignee herein does not disclaim or otherwise affect any part of a patent that may be granted on U.S. App. No. 10/379,838.

This disclaimer runs with any patent granted on the above application and is binding upon the grantee, its successors or assigns.

Enclosed is a check for \$130 for the required fee pursuant to 37 C.F.R. § 1.20(d). Please apply any other charges or credits to Deposit Account No. 06-1050, referencing Attorney's Docket Number 21052-003009.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

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CORNELL RESEARCH FOUNDATION, INC.

Date: January 31, 2007

Brian Kelly  
Brian J. Kelly, Ph.D.  
Title: VICE PRESIDENT

Fish & Richardson P.C.  
225 Franklin Street  
Boston, MA 02110  
Telephone: (617) 542-5070  
Facsimile: (617) 542-8906

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